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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 July 2010*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4-12,15-18,21--30,33-35* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4-12,15-18,21-30 and 33-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.	Claims 1, 4-12, 15-18, 21-30, 33-35 are pending.

Claim Objections

2.	Claims 21-27 are objected to because of the following: the claims recite

"computer readable medium "which depend from claim 18 which recites "non-

transitory computer readable medium". Appropriate correction is required.

Claim Rejections - 35 USC § 103

3.	The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.	**Claims 1,11-12,18, 28-30,33 rejected under 35 U.S.C. 103(a) as being**

unpatentable over US 6,785,675 issued to John Graves ("Graves") et al. and

US 2002/0013856 issued to J. Joaquin Garcia-Luna-Aceves et al ("Garcia-

Luna-Aceves").

As per claim 1 Graves anticipates a method for processing query messages

over a network (see Abstract), the method comprising:

extracting a plurality of queries from a plurality of query messages received from

a plurality of users over the network (see Figure 3;reference number 310:receive

individual requests and column 4, lines 15-21 ,as individual , independent

requests, and see also column 5:Claim12);

sending the first request message to a search engine (see column 4, lines 40-42,

as the aggregated query is sent to the database management system and see

also column 5:Claim12);

receiving a response message from the search engine (see column 4, lines 40-

42, as a result set is received and see also column 5:Claim12), the response

message including a plurality of replies and the first sequence number, wherein

the first sequence number is associated with the plurality of replies, and wherein

each reply associated with the first sequence number is generated in response to

a query also associated with the first sequence number (see column 4, lines 45-

50 and see also column 5:Claim12);

creating a plurality of reply messages from the plurality of replies (see column 4,

lines 50-55, as results are sent to corresponding requestor and see also column

5:Claim12); and sending the plurality of reply messages to the plurality of users

over the network(see column 4, lines 50-55, as results are sent to corresponding

requestor and see also column 5:Claim12).

Although Graves teaches creating a first request message including a
plurality of queries (see column 1, line 66 to column 2, line 5), Graves does not
specifically teach a first sequence number associated with the plurality of
queries. On the other hand, Garcia-Luna-Aceves shows, at figure 6, an update
message that includes a sequence number and an associated update list with
multiple entries. Thus, it would have been obvious to one of ordinary skill in the
art at the time of the invention to associate a sequence number with a plurality of
queries as in Garcia-Luna-Aceves in the invention of Graves in order to keep
track of or identify the plural queries associated with the aggregated request.

Claim 11 -12 are rejected based on the same rationale as claim 1 above and
Graves teaches: a first network interface coupled to a first interface and a second
network interface coupled to a second network and at least one processor ...a
memory .... At figures 1-2.

Claim 18is rejected based on the same rationale as claim 1 above.

As per claim 28 same as claim arguments above and Garcia-Luna-Aceves does
teach creating a second request message including a plurality of queries and

sending the second request message to the search engine,

and receiving a response message from the search engine, wherein the

response message includes replies generated in response to the first sequence

number and a third sequence number, the third sequence number identifying a

subsequent request message created after the first request message (figure 6:

update message including sequence number and associated update list with

multiple entries).

As per claim 29 same as claim arguments above and Graves teaches:

wherein sending the plurality of reply messages to the plurality of users

comprises identifying a user associated with each query from which each reply

message was generated using the state information(column 4, lines 45-50, as

result set of rows matched to corresponding parameters and claim 12).

As per claim 30 same as claim arguments above and Graves teaches:

wherein the first sequence number uniquely identifies one or more of the queries

and the second sequence number uniquely identifies one or more of the replies

see column 4, lines 25-30: "111", "222", "333" are the first sequence number and

column 4, lines 45-50: result set with "111", "222", "333" are the second

sequence number).

As per claim 33, same as claim arguments above and Graves teaches:

wherein the response message further includes a second sequence number that

is associated with one or more replies that are not associated with the first

sequence number (figure3: ref.no. 350-370, match result set to requests).

5.   Claims 4-6, 15, 21-23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Graves and Garcia-Luna-Aceves et al with respect to

claim 1 above in view of US 7,165,166 issued to Adam Grove et al

("Grove").

As per claim 4 same as claim arguments above and Graves and Garcia-Luna-

Aceves do not explicitly teach determining message latency associated with the

first sequence number. Groves does teach this limitation at column 10, lines 1-9,

as timestamp of a request record and timestamp of a query record. It would

have been obvious to one of ordinary skill in the art at the time the invention was

made to modify Graves and Garcia-Luna-Aceves with determining message

latency associated with the first sequence number for performance enhancement

as described by Groves at column 1, lines 13-15.

As per claim 5 same as claim arguments above and Groves teaches:

 wherein said determining a message latency includes: updating a request

timestamp based on the request message, updating a response timestamp

based on the response message, comparing the request timestamp and the

response timestamp at column 10, lines 1-9, as timestamp of a request record

and timestamp of a query record.

As per claim 6 same as claim arguments above and Groves teaches:

receiving an additional response message from the search engine, the additional

response message including an additional plurality of replies, and updating the

response timestamp based on the additional response message at column 10,

lines 1-9, as timestamp of a request record and timestamp of a query record.

Claim 15 is rejected based on the same rationale as claims 4-6.

Claims 21-23 are rejected based on the same rationale as claims 4-6 above.

**Claims 7-10, 16-17, 24-27 are rejected under 35 U.S.C. 103(a) as being
unpatentable over Graves and Garcia-Luna-Aceves and Groves and
further in view of US Patent Application Publication Number
2002/0040414 issued to Kaitaro Uehara ("Uehara") and US 2003/0138091
issued to William Meek et al ("Meek").**

As per claim 7 same as claim arguments above and Graves and Garcia-Luna-

Aceves and Groves do not explicitly teach updating a query count based on the

request message, updating a reply count based on the response message and

comparing the query count and the reply count. Uehara does teach reply count

(paragraph 120, reply count) .It would have been obvious to a person of ordinary

skill in the art at the time the invention was made to modify Graves and Groves

with a reply count to improve monitoring Graves and Garcia-Luna-Aceves and

Groves in view of Uehara do not explicitly teach query count, Meek does teach

query count (paragraph 94, query count). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to modify Graves and

Groves in view of Uehara with a query count to track the queries.

As per claim 8 same as claim arguments above and Uehara teaches:

 receiving an additional response message from the search engine, the additional

response message including an additional plurality of replies, and updating the

reply count based on the additional response message (paragraph 120, reply

count).

As per claim 9 same as claim arguments above and Uehara teaches:

 updating a response count based on the response message and comparing the

response count to a predetermined response count (paragraph 120, reply count)

As per claim 10 same as claim arguments above and Uehara teaches:

 receiving an additional response message from the search engine, the additional

response message including an additional plurality of replies,

and updating a response count based on the additional response message

(paragraph 120, reply count)

Claims 16-17, 24-27 are rejected based on the same rationale as claims 7-10
above.

**Claims 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Graves and Garcia-Luna-Aceves as applied to claim 1 above and
further in view (US 2002/0010798) issued to of Israel Ben-Shaul et al
("Ben-Shaul").**

As per claim 34 same as claim arguments above and Graves and Garcia-Luna-
Aceves does not explicitly teach wherein each query message is a request to
resolve a domain name. Ben-Shaul does teach this limitation (at [119], as the
request is redirected by the DNS system, wherein the DNS system   resolves the
domain name that is included in the request for the resource to allow content
providers. It would have been obvious to one of ordinary skill in the art at the time
the invention was made to modify Graves and Garcia-Luna-Aceves with wherein
each query message is a request to resolve a domain name to directly control
the delivery of content based on regional and temporal preferences, client

identity and content priority as described by Ben-Shaul at abstract).

As per claim 35 same as claim arguments above and Graves teaches:

wherein extracting the plurality of queries from the plurality of query messages is

performed by a front-end protocol engine that sends the request message via a

wide area network to the search engine at figure 1-2.

Response to Arguments

6.   Applicant's arguments filed July 26, 2010 have been fully considered but

they are not persuasive.

7.   Applicant argues Office Action acknowledges that Graves does not teach

"creating a first request message …" and "receiving a r response message …".

In addition, Applicant states Graves teaches when multiple queries are

aggregated each query within the aggregated query already includes tracking

information to track and identify query and corresponding reply to the query and

there is no need for additional sequence number and the proposed combination

is unnecessary. In the response dated March 8, 2010 Examiner cited Graves for

teaching "creating a first request …" and Graves as additionally teaching

"creating a first request message including a plurality of queries. Graves did not

teach a first sequence number. Examiner cited Garcia-Luna-Aceves as teaching

this limitation at Figure 6: sequence number). The fact that applicant has

recognized another advantage which would flow naturally from following the

suggestion of the prior art cannot be the basis for patentability when the

differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60

(Bd. Pat. App. & Inter. 1985).

8.   With regard to claim 28, Applicant argues prior art of record does not

teach creating a second request message including a plurality of queries and

sending the second request message to the search engine,

and receiving a response message from the search engine, wherein the

response message includes replies generated in response to the first sequence

number and a third sequence number, the third sequence number identifying a

subsequent request message created after the first request message.

       Graves further teaches these limitations as (see Figure 3;reference

number 310:receive individual requests and column 4, lines 15-21 ,as individual ,

independent requests, and see also column 5:Claim12, see column 4, lines 40-

42, as the aggregated query is sent to the database management system and

,see column 4, lines 40-42, as a result set is received, see column 4, lines 50-55,

as results are sent to corresponding requestor. Graves did not teach a sequence

number. Examiner cited Garcia-Luna-Aceves as teaching this limitation at Figure

6: sequence number).

Conclusion

9.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of

time policy as set forth in 37 CFR 1.136(a).

       A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply is

filed within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Contact Information

10.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Susan F. Rayyan whose telephone number is

571-272-1675. The examiner can normally be reached on M-F, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, John Cottingham can be reached on 571-272-7079. The

fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

/SUSAN FOSTER RAYYAN/

Examiner, Art Unit 2167

October 22, 2010

/John R. Cottingham/

Supervisory Patent Examiner, Art Unit 2167